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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,	)	No. 3:22-CR-00030-SLG-MMS
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
ALLEN WILLIAM OCKEY,	)	
	)	
Defendant.	)	
	)	

**UNITED STATES' SENTENCING MEMORDANDUM**

The United States of America, through the undersigned Assistant United States Attorney, hereby submits this Sentencing Memorandum for the sentencing hearing scheduled for October 28, 2022, at 3:00 p.m. in the above-captioned case.

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## **SUMMARY OF SENTENCING RECOMMENDATIONS**

**GUIDELINE IMPRISONMENT RANGE ..... 0 - 6 months**  
**TERM OF IMPRISONMENT ..... 0 months**  
**GUIDELINE PROBATION RANGE ..... 1 – 5 years**  
**TERM OF PROBATION ..... 2 years**  
**SPECIAL ASSESSMENT ..... \$100.00**  
**DONATION ..... \$5,000**

The United States Probation Office (USPO) has prepared a presentence investigation report (PSR) in this case at docket 26. The United States did not submit any objections to the PSR and there are no unresolved objections.

The defendant appears for sentencing after being convicted of Count 1 of the Indictment, charging Wildlife Trafficking Conspiracy in violation of Title 18 U.S.C. § 371. The government will move to dismiss Counts 2 – 13 in the Indictment at the time of sentencing.

The government concurs with USPO's guideline calculations and the defendant's criminal history calculation. Further, the defendant has demonstrated acceptance of responsibility and U.S.S.G. §3E1.1(a) allows for a two-level decrease of the offense level for timely notifying the government of defendant's intention to enter a plea of guilty. Because the offense level does not exceed 16, the defendant is not eligible for the additional one-level reduction. U.S.S.G. §3E1.1(b). The government concurs that the total offense level is 7.

With a criminal history category I, the defendant's Guideline range is 0 to 6 months of imprisonment or 1 to 5 years of probation, and falls in Zone A of the Guidelines, with a maximum sentence of 5 years imprisonment or 5 years of probation for Count 1 of the U.S. v. Ockey  
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Indictment.

Based upon the sentencing factors in Title 18 U.S.C. § 3553(a), the government believes a sentence of two years of probation is appropriate. Further, the defendant paid G.A.B. \$4,000 for illegally shipping five boxes containing over 300 pieces of illegally harvested coral, using false labels/declarations, with the intent to resell them for significant markup. Therefore, the \$5,000 donation to the Marine Environment and Resources Foundation, which focuses on the restoration and repair of coral reefs in the Philippines is appropriate. The government believes its recommended sentence will best meet the ends of justice.

RESPECTFULLY SUBMITTED October 18, 2022, in Anchorage, Alaska.

S. LANE TUCKER  
United States Attorney

s/ Charisse Arce  
CHARISSE ARCE  
STEVE SKROCKI  
Assistant U.S. Attorneys  
United States of America

#### **CERTIFICATE OF SERVICE**

I hereby certify that on October 18, 2022,  
a true and correct copy of the foregoing  
was served electronically on the following:

Darryl Thompson, Esq.

s/ Charisse Arce  
Office of the U.S. Attorney

U.S. v. Ockey  
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